

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DONALD BATES, et al.,

Plaintiffs,

v.

ASTRAZENECA LP, ASTRAZENECA
PHARMACEUTICALS LP and MCKESSON
CORPORATION,

Defendants.

No. C 09-4150 CW

ORDER GRANTING IN
PART AND DENYING
IN PART WITHOUT
PREJUDICE JOINT
MOTION FOR LEAVE
TO FILE UNDER
SEAL

CAROLYN HARRISON, et al.,

Plaintiffs,

v.

ASTRAZENECA LP, ASTRAZENECA
PHARMACEUTICALS LP and MCKESSON
CORPORATION,

Defendants.

No. C 09-4151 CW

TODD BOGGIS, et al.,

Plaintiffs,

v.

ASTRAZENECA LP, ASTRAZENECA
PHARMACEUTICALS LP and MCKESSON
CORPORATION,

Defendants.

No. C 09-4159 CW

1 PAUL TRIM, et al.,

No. C 09-4160 CW

2 Plaintiffs,

3 v.

4 ASTRAZENECA LP, ASTRAZENECA
5 PHARMACEUTICALS LP and MCKESSON
6 CORPORATION,

7 Defendants.
8 _____/

9 ANTONIO BURTON, et al.,

No. C 09-4162 CW

10 Plaintiffs,

11 v.

12 ASTRAZENECA LP, ASTRAZENECA
13 PHARMACEUTICALS LP and MCKESSON
14 CORPORATION,

15 Defendants.
16 _____/

17 GLORIA MILLER, et al.,

No. C 09-4163 CW

18 Plaintiffs,

19 v.

20 ASTRAZENECA LP, ASTRAZENECA
21 PHARMACEUTICALS LP and MCKESSON
22 CORPORATION,

23 Defendants.
24 _____/

1 DAVID MARTE, et al.,
2 Plaintiffs,

No. C 09-4164 CW

3 v.

4 ASTRAZENECA LP, ASTRAZENECA
5 PHARMACEUTICALS LP and MCKESSON
6 CORPORATION,

7 Defendants.
8 _____/

9 BONG NGUYEN, et al.,
10 Plaintiffs,

No. C 09-4166 CW

11 v.

12 ASTRAZENECA LP, ASTRAZENECA
13 PHARMACEUTICALS LP and MCKESSON
14 CORPORATION,

15 Defendants.
16 _____/

17
18 Plaintiffs in these related cases and Defendants AstraZeneca
19 LP, AstraZeneca Pharmaceuticals LP and McKesson Corporation jointly
20 move for leave to file under seal documents related to their
21 stipulated motion for an "Order Establishing a Qualified Settlement
22 Fund and Appointing Fund Administrator" (Stipulated Motion).

23 Because the public interest favors filing all court documents
24 in the public record, any party seeking to file a document under
25 seal must demonstrate good cause to do so. Pintos v. Pac.
26 Creditors Ass'n, 565 F.3d 1106, 1115 (9th Cir. 2009). This cannot
27

1 be established simply by showing that the document is subject to a
2 protective order or by stating in general terms that the material
3 is considered to be confidential, but rather must be supported by a
4 sworn declaration demonstrating with particularity the need to file
5 each document under seal. See Civil L.R. 79-5(a).

6 In the declaration supporting their motion to seal, the
7 parties indicate that they have entered into a Master Settlement
8 Agreement (MSA), which involves the establishment of a Qualified
9 Settlement Fund (QSF). They assert that both "the MSA and the QSF
10 contain and concern confidential, private and sensitive settlement
11 information." Dunlap Decl. ¶ 3.

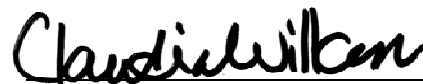
12 Not all of the documents the parties seek to file under seal
13 appear to implicate information regarding the MSA and the QSF. The
14 stipulation filed in support of the motion contains specific,
15 detailed information about the settlement. However, the Stipulated
16 Motion does not appear to contain such information. Requests for
17 leave to file documents under seal must be narrowly tailored. See
18 Civ. L.R. 79-5(a).

19 Accordingly, the parties' motion to seal is GRANTED in part
20 and DENIED in part without prejudice. The "Stipulation with
21 Respect to Motion Regarding Plaintiffs' Request for Administrative
22 Relief and for Order Establishing a Qualified Settlement Fund and
23 Appointing Fund Administrator" may be filed under seal. Within
24 three days of the date of this Order, the parties may renew their
25 motion for leave to file their Stipulated Motion under seal, so
26 long as they proffer a declaration establishing the Stipulated
27 Motion's sealability. In the alternative, they shall file the
28

1 Stipulated Motion in the public record within three days.

2 IT IS SO ORDERED.

3
4 Dated: 2/7/2011



CLAUDIA WILKEN
United States District Judge